IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1248 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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BHIKHABHAI TULSIDAS KATARECHA

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 1248 of 2001

MR KV SHELAT for Petitioner No. 1

MR RC KODEKAR, Ld. APP for Respondent No. 1

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 10/04/2002

ORAL JUDGEMENT

The learned APP, Shri R.C. Kodekar on the instructions received from the Public Prosecutor, Junagadh, states that in the instant case, the case is

already committed to the Fast Court and it is kept for framing of charges on 16-4-2002. Therefore, the case is likely to be decided as early as possible. In this view of the matter, the submission of Shri K.V.Shelat that the accused has been in jail for a longer time loses its significance and that the earlier bail applications were rejected by the trial Judge, it will have no relevance.

In the circumstances, without going into any other question, this application is required to be rejected and it is rejected. However, at this stage, Shri.Shelat submitted that the trial Court be directed to decide the case as early as possible. In ordinary circumstances, perhaps this request would have been granted, but since the matter is already before the Fast Court, no such direction is required to be issued. If the case is not disposed of early, then the applicant-accused can always make such a request before the trial Court, which is trying the case.

With the above observations, the petition is dismissed. Rule discharged.

10-4-2002 (B.J.Shethna, J.)

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